IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 2730 of 1996

For Approval and Signature:

HONOURABLE MR.JUSTICE JAYANT PATEL

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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SHREE KRISHNA CO OPERATIVE HOUSING SOCIETY LIMITED - Petitioner(s)
Versus
AREA DEVELOPMENT OFFICER & 1 - Respondent(s)

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Appearance :

M/S THAKKAR ASSOC. for Petitioner(s) : 1,
MR KD PANDYA for Respondent(s) : 1,
MR PRASHANT G DESAI for Respondent(s) : 2,

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CORAM : HONOURABLE MR.JUSTICE JAYANT PATEL

Date : 15/03/2007

ORAL JUDGMENT

1. The petitioner has preferred the petition

for challenging the publication of the revised development plan on 29.2.1996 on the various grounds and it appears from the petition that the principal contention is that the approach road of the petitioner would be closed and consequently, there is no proper application of mind on the part of the respondents authorities and therefore, the petition.

2. When the matter is taken up for final hearing, Mr. K.D. Pandya, for Mr. Prashant Desai, learned counsel states that to place on record the map with the further affidavit by the Deputy Engineer of the Corporation stating inter alia that the plan is further modified and in the preliminary scheme, the road is provided at both the ends to the petitioner's society, which is situated on Survey No.54.

3. Under the above circumstances, the grievance of the petitioner would not survive that there will not be any approach road.

4. Hence, the petition has become infractuous. Disposed of accordingly. Liberty to apply in case of any difficulty.

(JAYANT PATEL, J.)

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